REMARKS/ARGUMENTS

1.)   Claim Amendments

Claim 48 has been cancelled and claims 25, 27, 31, 33 and 36-47 have been amended to more particularly point out and distinctly claim the subject matter that Applicant regards as the invention. The amendments either clarify technical terms originally in the claims or expressly recite claim limitations inherent in the previously-pending claims; no new matter has been added. Claims 25-47 remain pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.)   Examiner Objections – Specification

The Examiner objected to the abstract of the disclosure as having not been submitted on a separate sheet in accordance with 37 CFR 1.52(b)(4). Although this application is a national stage application filed under 35 U.S.C. §371, which is not subject to the requirements of §1.52(b)(4), the Applicant submits herewith a copy of the abstract on a separate sheet.

3.)   Examiner Objections – Drawings

The Examiner objected to the drawings on the asserted basis that item 135 in Figure 3 is not mentioned in the detailed description with respect to that figure. Item 135 is explained with respect to Figure 2, in which it is first illustrated; see page 18, line 18 *et seq.*, which describes elements 130, 135 and 140. Thereafter, in the discussion of Figure 3, it is stated on page 20, line 1 *et seq.*, that those elements operate "similar to the discussion above with reference to Fig. 2." Therefore, one of ordinary skill in the art would readily understand, from a reading of the complete detailed description, what the elements in Figure 3 are and how they operate in combination. Therefore, the Applicant respectfully requests that the Examiner withdraw the objection to the drawings.

4.) Claim Rejections – 35 U.S.C. §112

The Examiner objected to claims 25-43 and 47 as being indefinite. The Applicant has amended each of those claims as suggested by the Examiner. The Applicant, however, traverses the Examiner's assertion that the claim term "cookie privacy policy" is not clearly distinguished from the term "privacy policy." In view of the detailed description, and the claim terminology, one of ordinary skill in the art will recognize that the term "privacy policy" refers to the privacy policy of the source of a cookie, while "cookie privacy policy" refers to the privacy policy of the receiver of a cookie. The Applicant respectfully requests that the Examiner reconsider the claims in view of the amendments made at the suggestion of the Examiner and the Applicant's clarification of the claim terminology.

5.) Claim Rejections – 35 U.S.C. §101

The Examiner rejected claims 37-43 and 44-47 on the asserted basis that they were directed to non-statutory subject matter based on an interpretation that the claims were directed to "software, *per se*." The Applicant disagrees with the interpretation of those claims as being directed to non-statutory subject matter. The Applicant has, however, amended claims 37-43 to claim a "data processing system" and claims 44-47 to claim a "content provider apparatus;" "systems" and "apparatuses" are clearly within the scope of statutory subject matter. The Applicant respectfully requests that the Examiner reconsider the claims in view of those amendments.

6.) Claim Rejections – 35 U.S.C. §102(b)

The Examiner rejected claims 25-29, 33-36, 37-43 and 44-48 as being anticipated by Platform for Privacy Preferences Syntax Specification, by Cranor, *et al.* (hereinafter "Cranor"). The Applicant has cancelled claim 48 and, therefore, the Examiner's rejection thereof is moot. The Applicant traverses the rejection of the remaining claims.

First, it is to be remembered that anticipation requires that the disclosure of a single piece of prior art reveals **every** element, or limitation, of a claimed invention.

Furthermore, the limitations that must be met by an anticipatory reference are those set forth in each statement of function in a claims limitation, and such a limitation cannot be met by an element in a reference that performs a different function, even though it may be part of a device embodying the same general overall concept. Whereas Cranor fails to anticipate each and every limitation of claims 25-29, 33-36, 37-43 and 44-47, those claims are not anticipated thereby.

Claim 25 recites:

25.   A method of managing cookies in a data processing system, said method comprising the steps of:
a user agent requesting a resource associated with a cookie from a content provider;
receiving a privacy policy associated with said cookie; and,
said user agent transmitting, in response to reception of said privacy policy associated with said cookie, a cookie-policy receipt to said content provider, said cookie-policy receipt specifying whether a user associated with said user agent accepts that said content provider provides said cookie to user equipment associated with said user agent. (emphasis added).

The Applicant's invention relates to methods and apparatus for managing cookies according to a privacy policy. A user agent requests a resource that is associated with a cookie from a content provider and the content provider transmits to the user agent a privacy policy associated with the cookie. In response to the reception of the privacy policy, the user agent transmits a cookie-policy receipt to the content provider in order to inform the content provider if the user agent accepts that the content provider provides the cookie to the user agent.

Cranor describes privacy preferences and how they are used by a user agent. Cranor does not, however, disclose a user agent that transmits information to a content provider regarding whether it accepts the content provider's privacy policy. According to Cranor, the service suggests a privacy policy that a user agent can agree to or reject. If the user agent does not allow a certain policy, however, the user is still given an opportunity to authorize the received data. Thus, the difference between the present invention and Cranor is that the Applicant's invention provides means for informing the

content provider if the user agent agrees that the content provider can provide the cookie to the user agent.

If the user of the user agent does not allow cookies, certain web sites (*i.e.*, content providers) may not be able to function properly. By using the present invention the web-site can choose to select to transmit a cookie-less version of the web-site if the user agent does not accept cookies. Thus, a website that otherwise would not have functioned properly can now function properly if the content provider then transmits a cookie-less version in response to receiving the cookie-policy receipt from the user agent. One advantage of the Applicant's invention is that the signaling required to reach a suitable policy setting is reduced compared with the teachings of Cranor. In Cranor, the service suggests different privacy policies until the user agrees, while in the present invention the user agent can inform the service which implies that the service can apply a suitable privacy setting immediately. This results in a reduced signaling and delay caused by the signaling and, thus, improved performance.

Therefore, whereas Cranor fails to teach each and every limitation of claim 25, that claim is not anticipated. Furthermore, whereas independent claims 33, 37 and 44 recites limitations analogous to those of claim 25, they are also not anticipated by Cranor. Moreover, whereas claims 26-29, 34-36, 33843 and 45-48 are dependent from claims 25, 33, 37 and 44, respectively, and include the limitations thereof, those claims are also not anticipated.

7.)   Claim Rejections – 35 U.S.C. §103(a)

The Examiner rejected claims 31-32 and 43 as being unpatentable over Cranor in view of Mitchell, *et al.* (U.S. Patent No. 6,959,420). The Applicant traverses the rejections.

As noted *supra*, Cranor fails to anticipate claims 25 and 37 because it does not teach a method or system in which a user agent transmits, in response to reception of a privacy policy associated with a cookie, a cookie-policy receipt to a content provider, wherein the cookie-policy receipt specifies whether a user associated with the user agent accepts that the content provider provides the cookie to user equipment

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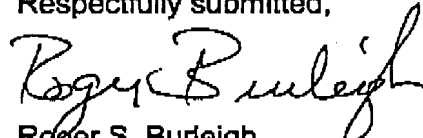Attorney Docket No. P17223-US1
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associated with the user agent. Mitchell likewise fails to teach that aspect of Applicant's claimed invention. Therefore, whereas claims 31-32 and 43 are dependent from claims 25 and 37, respectively, and include the limitations of their respective base claims, those claims are not obvious over Cranor in view of Mitchell.

CONCLUSION

In view of the foregoing amendments and remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 25-47.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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